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Patent US 200C3
Attorney Docket: 032,290-008
(Formerly 1000-7)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

FULTON III et al.

Serial No.: 09/996,878

Filed: November 30, 2001

For: BIOPSY LOCALIZATION
METHOD AND DEVICE

Group Art Unit: 3736

Examiner: Brian S. Szmal

COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Final Office Action mailed March 3, 2005, Applicants note that the examiner did not consider the non-patent references that were listed in the Information Disclosure Statement filed February 3, 2006. For the convenience of the Examiner, Applicants attach herewith copies of the non-patent references and a duplicate copy of the relevant pages of the PTO/SB/08a that were previously submitted. Applicants respectfully request that the Examiner return copies of the attached forms with the entries corresponding to the attached references initialed in the left-most column.

Respectfully submitted,
O'MELVENY & MYERS LLP

Dated: March 16, 2006

By:

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Cynthia B. Pacheco
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Substitute for form 1449A-PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application No.	09/996,878
Filing Date	November 30, 2001
First Named Inventor	Fulton
Art Unit	3736
Examiner Name	Brian Scott Szmaj
Attorney Docket No.	032,290-008

Sheet

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of

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U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Document No. Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	31.	us-5,868,708	02/1999	Hart	
	32.	us-5,869,080	02/1999	McGregor	
	33.	us-5,922,024	07/1999	Janzen	
	34.	us-5,941,910	08/1999	Schindler	
	35.	us-6,066,325	05/2000	Wallace	
	36.	us-6,083,522	07/2000	Chu	
	37.	us-6,340,367	01/2002	Stinson	
	38.	us-6,347,241	02/2002	Burbank	
	39.	us-6,749,554	06/2004	Snow	
	40.	us-RE34,936	05/1995	Campbell	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	41.	DE 935625	11/1955			
	42.	EP 0255123	02/1988			
	43.	EP 0983749	03/2000			

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s) volume-issue number(s), publisher, city and/or country where published	T ²
	44.	CLARKSON, P.: "Sponge Implants for Flat Breasts," Proceedings of the Royal Society of Medicine, Vol. 53 at 880-881 (1960)	
	45.	FOURNIER et al: "Experimental Studies and Preliminary Clinical Trial of Vinorelbine-loaded Polymeric Bioresorbable Implants for the Local Treatment of Solid Tumors", Cancer Research 51, pp. 5384-5391, October 1, 1991	

Examiner
SignatureDate
Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.


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				Art Unit	3736
				Examiner Name	Brian Scott Szmaj
Sheet	3	of	3	Attorney Docket No.	032,290-008

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Examiner Signature	Date Considered	
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.</p> <p>This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p>		
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